

CM Boryslawskyj
Reply Comments

**RE: ADDITIONAL COMMENT SOUGHT ON STRUCTURE AND PRACTICES OF
THE VIDEO RELAY SERVICE (VRS) PROGRAM AND ON PROPOSED VRS
COMPENSATION RATES**

CG Docket No. 03-123
CG Docket No. 10-51

Before the Americans with Disabilities Act began, as Connecticut (CT) resident, I had been fortunate to enjoy using a first relay service, Converse Communications Center (CCC) in 1974. Until today I am using VRS by more than five TRS and VRS providers for long time and found the practices varying from one to other providers worth good learning experience and knowledgeable about their loyal commitments to their corporate beliefs and values of the VRS practices.

In reference to the rates, I understand that I am not able to make any comments about the rates in depth because of the providers' rates that are not for public access. Simply put, any issues relating to the rates are up to the FCC and the providers.

However, I would like to point out several major concerns about the Rolka Loube Saltzer Associates (RLSA)'s modified VRS compensation rates. Several concerns are as follows:

- Any adjustment such as the accounting cushions which should be built in the rate to cover the possibility of unexpected prediction. If so how much percentage does the RLSA decide to utilize? (There should be at least 30% or higher penetration rates.)
- Are the proposed rates being applied based on this "low price, low margin, high volume" model? Does the RLSA act as if being the "bottom of the pyramid" experts that the providers may offer products at extremely low prices and generate profits by selling enormous quantities of products?

- Normally the operational expenses such as ASL fluent interpreters are frequently much higher than the rate structures. By reading the Commission's public notice of October 15, 2012, I was surprised to find that your actions saved \$300 million and cut the compensation rate by more than \$1.00 per minute. Does this reduction make any reasonable justification to harm the functional equivalency (FE)? As the Commission may not realize the VRS technology has still been developed in the marketing, very competitive, at the same time consumer acquisition and retention for new VRS equipments or applications are being tested and still under experimental period. It is normally unusually intense and costly as levels of high touch engagement – in demand in order to cover high costs; much greater volumes are needed for break-down.

A. VRS Access Technologies

Before I reply comments, I would like to inform you that I support Jeff Rosen, General Counsel, CSDVRS, LLC's structural reform proposals. Their concern is valid about software based VRS access technology (or application).

In regards to whether the application should be open source, I would say yes, why not! I support an idea about making some applications open source. This should invite new, better innovation until any of the VRS application becomes stability and easily compatible in every desktop, mobile and possible TV including Internet connectivity.

For your information, my spouse and I had been frustrated with some VRS providers due to lack of interoperability and especially video capacity for high speed connectivity. After downloading their software on our PCs, work stations, mobile and other devices, we found that we had constantly switched from one application to another one until arriving upon the right application in order to access to other callers depending on their applications, at every call time.

For example, we had P3 software installed on our laptop and mobile devices but we were unable to call our friends with their ntouch software or such Z4 software. True enough, there is no such

standardization of VRS software. Same with the VRS hardware such as ntouch Videophone or VP 200, we are unable to receive or send any video across from P3, or Z4.

Interesting, Z4 mobile is most reliable software than others; Purple P3, Sorenson ntouch, and AT&T VL5. As we go everywhere on the road, we are able to call via Z4 to anyone no matter what device they have but troubling is we are unable to call from our home via Z4 to another different software, or versa vice. Funny, we received the video mails intended for Z4 but ended up on P3 software. Obviously there is mess up of interlinking the calls from which or to which software based VRS access technology.

AT&T does not provide VP point to point software except VRS service only. For hearing people whom I frequently speak with via one to one I would have to use Skype to reach them via their Skype video. (Skype to Skype only)

Why not using Skype as software based VRS access technology as if it may be interoperable? That is understandable that it may be similar to Z4, P3, or ntouch. (Z4 to Z4, P3 to P3, or ntouch to ntouch) This should be reasonable justification for FE (functional equivalency).

I don't see any existing VRS access technology application or the core which should utilize the "plug and play" feature. Some VRS devices are not interoperable or video capability just because there are some factors such as corporate vs. residential firewall, the broadband threshold mismatch for video stream capacity and the cost of connectivity. For your info, we currently subscribe to the monopolistic cable industry being one provider available in our suburb but had been forced with no choice to spend the most expensive cost of high speed connectivity in order to meet the VRS need of our heavily usage.

I strongly suggest that the Commission should mandate an oversight committee that should be consisting of some technology specialists who oversee the utmost goal of some applications to meet the expectation of interoperability measurements. The compensation should be offered as the award as incentives for the developers as though technology specialists who may test the workable applications to meet the goal. Secondly there may be another way around to encourage

the providers to continue their Research and Development departments. The compensation or stipend should come from the cable industry, or the federal funding for the broadband adaptability program.

Importantly the bottom line is that we are looking for “plug and play” as feasible and easy to use all VRS applications and the core VP hardware. So we don’t have to wait more than two weeks and depend on installers or to dispute connectivity problem with the high speed providers.

I am sure that most of the consumers would love to get involved in the development, selection, certification and on-going enhancement of either the core or application by responding to the evaluation on their satisfactions about how, what or why they prefer to use, so forth. I strongly encourage any nonprofit organizations outside of the providers as neutral to establish the outreach efforts similar to the Consumer Reports organization. This assessment would help understanding the core demand of the deaf and hard of hearing consumers in the usage of the VRS as well as TRS (telecommunication relay service). The report will reflect pros and cons of the VRS access technology, the core and application.

Two major disadvantages are 1) the costly of high speed connectivity including lack of 4G via Wi-Fi and 2) inadequate of high speed Internet providers. Some areas in this state of CT may not support the video capacity. Our home suburb is an excellent example that there is one monopolistic cable industry to offer top premium high speed monthly rates, too expensive like almost \$100 per month. (This rate is only for high speed Internet, excluding phone and cable TV). If we choose the basic month rate like \$65 per month then we would not be able to use the videophone, both the core and application, due to poor high speed connectivity for uploading. I believe some deaf and hard of hearing people whom I mingle with and understand their frustrations, would not afford the top premium monthly rates just for videophone need, and however, they decided to sacrifice their hope for the core VP devices at their homes.

In the business, I work as director for nonprofit charitable organization, Communication Advocacy Network to serve the deaf, hard of hearing, late deafened and deaf blind people in CT. For your info we occupy the rental office space at the Conference Building including over 50

office suites. For second time, we had relocated to an expanded office from small space but we had spent over \$2000 to install separate cables just for videophone access. The Conference building has own cable installed but unable to make the videos working. We faced some ongoing technical problems in spite of installing the separate cable due to the firewall, limited availability of VRS provider technical support, lack of expertise in the Information Technology support and some core vs. application VRS access technology's lack of interoperable. We had installed three different VRS technology such as Sorenson VP200, formerly Ojo and P3. However, we had experienced with on-going interoperable problems until today. I had replaced Ojo by Z4 because of its good reliability and mobile, and however we continue using both P3 and Sorenson VP200.

We had expanded our second branch office in Stamford and found that we have Sorenson VP ntouch installed but it is still not working yet today due to the firewall problem. We have to wait for the company technical support to meet the Sorenson technical support later. The loss of our business opportunity we waste our waiting time for two months and still are not able to use the VP due to this technical problem being not been solved yet.

Meanwhile we had tried the software based VRS access technology by using iPad via Z4 in Stamford and unfortunately the high speed Internet via Wi-Fi does not meet the video capacity demand. The video does not work well but continues being pixelated or freeze up.

For the business I would suggest it would be possible if like our nonprofit organization we would need some funding to support the start up technology for VRS core and application to be properly installed. I believe some businesses are very nervous and reluctant about installing the core because of constraining budget by emerging technology funding as well as costly of technology support.

B. Enhanced iTRS Database Operations

I support the CSDVRS' suggestion about the providers that would utilize an enhanced version of the TRS numbering directory with the features; user registration and validation, call routing, and usage accounting. I would prefer this iTRS database should be access to the consumers who use

the TRS and have the right to check their personal names as well as all these features the consumers need to know about from the directory.

In replying comments I support the comments as submitted by Consumer Groups including Telecommunications for the Deaf and Hard of Hearing, Inc (TDI) and National Association of the Deaf (NAD) on this TRS numbering directory.

Regarding the video mail, I would reply comment about all providers' video mails and found these in poor job to send video messages. For example relay interpreter had to spell too quick that may be difficult to read like the relay agent number, phone number, and even the caller name. Plus, we receive multiple emails with one video mail message though I tried to instruct the providers please to limit one video mail to one preferred email address, not multiple email addresses.

I would suggest they should convert the video into text version as optional. We would prefer the text version by email instead of video mail because the major reason is due to poor Wi-Fi in case whenever we are on the road. If we are not able to read the video mail on the road, then we have no choice but wait until we drive home first and check our video mails through the high speed connectivity. After reading the video mails at home I do not realize that I should be summoned back to the initial destination and unfortunately often it is too late.

Secondly I would suggest additional features as follows:

- **“Do Not Call” Registry or List** – some providers continue calling us by the recording machine messages by other callers. We don't wish to receive any VRS calls with the recording messages. Please advise the providers to be aware that VRS users should be included to be placed on this “Do Not Call List” on both the core and application.
- **Opt out feature** – some providers continue sending us the video messages like Santa Claus, children stories, cooking, Greetings by Providers etc. We would like to opt out from subscription to the providers' video mails.

- **Choice of interpreters**, hearing ASL fluent or deaf certified interpreters if offered available. For example since I am woman, I sometimes prefer female over male interpreter depending on some calls that may be delicate or sensitive for any reason to prevent misunderstanding or confusion on the caller's identity. (I would like another caller to hear me via female voice rather than male.)

There is no doubt about multiple video communication service providers. I would prefer freedom of choice of any providers.

C. Open Ratemaking Issues

First, I support TDI and NAD's comments with 100%. I would like to remind the RLSA that hidden factors may be contributing to unemployment rate of people with disabilities, higher than people without disabilities. The majority of deaf population in the USA faces very difficult time today to find any high employment and may not be able to use the videophone or VRS throughout the corporate industry. Therefore over the past years there is significantly decline of the VRS usage across this country because of today's poor economy.

It is very imperative for the Commission or the fund administrator to utilize the following measurements for computation basics:

- Establish the guiding principles - Are there any existing guideline for the VRS usage?
- Engage the VRS/VP users – are there any survey data, designed workshops, or focus groups that would help prioritize the top three to five goals?
- Engage the TRS/VRS providers – Do they provide any information to establish their goals for outcomes and results from the VRS vs. VP usage?
- Skills Evaluation – are there any data to design which skills like ASL fluent hearing and deaf interpreters, VRS access technology specialists, technical support, and operations support so forth?

Overall, I tried to seek these data as described above but it seems that there is nonexistent data available to prove that proposed rates are determined by RLSA. However these rates may be

skewed as though these may be understated. Who will be blamed for these possible failures such as degradation in the VRS service levels, elimination of consumer choice, lack of innovation and especially reduction of FE (functional equivalency)?

Several issues remain unsolved such as deaf blind consumers, deaf and hard of hearing consumers with high and low functional ASL/gestures, and deaf immigrants with foreign sign language. There is much demand for operations support such as deaf certified interpreters, communication facilitators for deaf blind consumers and other public VRS access provided by nonprofit organizations or businesses.

As I had recently mentioned about the Communication Advocacy Network (CAN) in this letter, some deaf consumers came in and asked for our communication assistance for VRS calls. The CAN would appreciate much for this communication support funding to help facilitate communication with deaf and deaf blind consumers during weekdays. Some deaf consumers who do not understand ASL fluent hearing VRS interpreters asked for Deaf interpreters or Communication Facilitators. This component is missing from the VRS practices.

Thank you very much for your attention to this reply comment letter. Please contact me with any question.

Respectfully submitted,

/s/ CM Boryslawskyj
Communication Advocacy Network Board Chair/Director
Email: cmb@cancorp.org
(860) 295-2327